

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Appln.: John Underbrink
Application No.: 10/652,112
Filing Date: August 29, 2003
For: FOLDING SINK
Examiner: Khoa D. Huyhn
Art Unit: 3751
Attorney: Gerald E. Helget
Attorney Docket No.: 35249.26
Additional Fees: Charge to Deposit Account No. 023732

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT
(37 C.F.R. §1.102 AND M.P.E.P. §708.02)

Applicant hereby petitions to make this application special because of actual infringement.

1. Accompanying material:

Accompanying this petition is:

a Statement by Attorney in Support of Petition to Make Special Because of Actual Infringement

Respectfully submitted,

Dated: 23 Sept 04

By Gerald E. Helget
Gerald E. Helget (Reg. No. 30,948)
Briggs and Morgan, P.A.
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CERTIFICATE OF MAILING

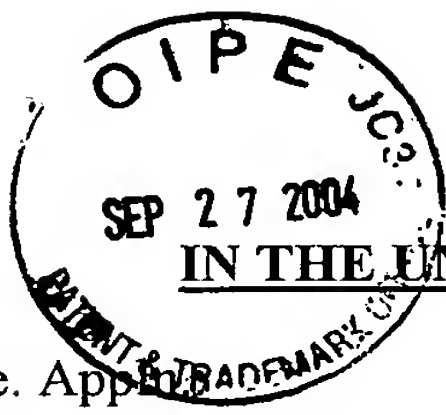
I hereby certify that this document and the documents identified above, are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP PETITION, Commissioner for Patents, Alexandria, VA 22313-1450, on the date indicated below.

By Gerald E. Helget
Dated 23 Sept 04

09/28/2004 YPOLITE1 00000017 10652111

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Re. App. No. 10/652,111 John Underbrink
Application No.: 10/652,111
Filing Date: August 29, 2003
For: FOLDING SINK ASSEMBLY
Examiner: Khoa D. Huyhn
Art Unit: 3751
Attorney: Gerald E. Helget
Attorney Docket No.: 35249.26
Additional Fees: Charge to Deposit Account No. 023732

MAIL STOP PETITION
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**STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL
BECAUSE OF ACTUAL INFRINGEMENT
(37 C.F.R. §1.102 AND M.P.E.P. §708.02)**

Applicant hereby petitions the Office to make the above-referenced United States Patent Application special, as follows:

1. There is an infringing device or product actually on the market. In particular, an infringing product is actually being marketed by Jobar International, Inc., 21022 Figueroa St., Carson, CA 90745 (attached).
2. A rigid comparison of the alleged infringing product with the claims of the application has been made. In my opinion, some of the claims are unquestionably infringed.
3. I have a good knowledge of the pertinent prior art. The references most closely related to the subject matter encompassed by the claims are already of record.

Dated: 23 Sep 04


Gerald E. Helget
Attorney for Applicant

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<div><div>PTO</div><div>FEE TRANSMITTAL</div><div>SEP 27 2003</div><div>Effective 10/01/2003. Patent fees are subject to annual revision.</div></div> <div><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</div> <div>TOTAL AMOUNT OF PAYMENT (\$)<div>130.00</div></div>		Complete if Known	
		Application Number	10/652,111
		Filing Date	August 29, 2003
		First Named Inventor	John Underbrink
		Examiner Name	Khoa D. Huynh
		Art Unit	3751
Attorney Docket No.		35249.26	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<div><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None</div> <div><input type="checkbox"/> Deposit Account:<div>Deposit Account Number<div>02-3732</div></div><div>Deposit Account Name<div>Briggs & Morgan, P.A.</div></div></div> <div>The Director is authorized to: (check all that apply)<div><input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments</div><div><input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application</div><div><input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.</div></div>		3. ADDITIONAL FEES	
FEE CALCULATION		Large Entity Small Entity	
1. BASIC FILING FEE		Fee Code Fee (\$)	
Large Entity Small Entity		Fee Code Fee (\$)	
Fee Description		Fee Description	
Fee Paid		Fee Paid	
SUBTOTAL (1)		SUBTOTAL (3)	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		SUBTOTAL (3) (\$ 130.00)	
Total Claims		SUBTOTAL (3) (\$ 130.00)	
Independent Claims		SUBTOTAL (3) (\$ 130.00)	
Multiple Dependent		SUBTOTAL (3) (\$ 130.00)	
SUBTOTAL (2) (\$ 0)		SUBTOTAL (3) (\$ 130.00)	
**or number previously paid, if greater; For Reissues, see above		SUBTOTAL (3) (\$ 130.00)	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Gerald E. Helget	Registration No. (Attorney/Agent)	30,948
Signature		Telephone	612.977.8480
		Date	23 Sep 04

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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